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/JH/ 8/20/09

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

PATENT

First Named Inventor: Charli KRUSE

Serial No: 10/820,430

Group Art Unit: 1632

Filed: April 8, 2004

Examiner: Joanne Hama

Att. Docket No.: B1180/20026

Confirmation No.: 7174

For: ISOLATED ADULT PLURIPOTENT STEM CELLS AND METHODS FOR
ISOLATING AND CULTIVATING THEREOF

FOURTH DECLARATION OF CHARLI KRUSE UNDER 37 CFR § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Charli Kruse, Ph.D., a citizen of Germany, hereby declare and state:

1. The resume attached as Exhibit A to my April 26, 2007 Rule 132 Declaration accurately reflects my professional credentials.

2. I am the sole inventor named in the above-identified application.

3. My research is funded in part by Fraunhofer-Gesellschaft zur Förderung der angewandten Forschung e.V., the assignee of the above-identified application.

4. I understand from attorneys for the assignee that claims 3, and 5-14 remain rejected under 35 U.S.C. § 112, first paragraph, as allegedly lacking enablement for isolated pluripotent adult stem (IPAS) cells from any species of vertebrate obtained from any exocrine gland tissue, wherein said IPAS cells differentiate into any cell type, allegedly because the specification does not teach that the instant cells express cell surface markers associated with pluripotent cells, and does not teach that the instant cells exhibit a normal karyotype.

5. The specification already provides evidence of enablement with respect to two